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Attorneys for Defendant LOEWS CALIFORNIA THEATRES, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JANA OVERBO and  
NICOLE BROWN-BOOKER,  
Plaintiff

v.

LOEWS CALIFORNIA THEATRES, INC.  
dba AMC LOEWS METREON 16 IMAX;  
WESTFIELD CORPORATION; and DOES  
1 through 10, inclusive.

#### **Defendants.**

Case No. C07-05368 WDB

**STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT**

Magistrate Judge Wayne D. Brazil

WHEREAS, plaintiffs Jana Overbo and Nicole Brown-Booker filed this action (the “Action”) on October 19, 2007 against defendants Loews California Theatres, Inc. dba AMC Loews Metreon 16 IMAX, and Westfield Corporation:

WHEREAS, the Complaint was served on defendant Loews California Theatres, Inc. on October 25, 2007:

WHEREAS, the deadline for defendant Loews California Theatres, Inc. to respond to the Complaint is currently November 28, 2007:

WHEREAS, defendant Loews California Theatres, Inc. believes the proper defendant party to be American Multi-Cinema, Inc.;

WHEREAS, the parties are continuing to discuss the issue of whether defendant Loews California Theatres, Inc. is properly named in the Complaint, and are assessing whether American Multi-Cinema, Inc. should respond to the Complaint for defendant Loews California Theatres, Inc., but ask for twenty days for American Multi-Cinema, Inc. to complete this assessment and file such response;

WHEREAS, the parties would like to minimize fees and expenses in the Action while these discussions are pending;

WHEREAS, the parties previously sought one extension of time to respond to the Complaint in this Action to investigate the proper party issue and have made progress on this issue;

NOW, THEREFORE, the parties hereby stipulate and agree to extend the deadline for responding to the Complaint for American Multi-Cinema, Inc., on behalf of defendant Loews California Theatres, Inc., or by defendant Loews California Theatres, Inc., as applicable, for 20 days, until and including Tuesday, December 18, 2007.

Dated: November 28, 2007

Dated: November 28, 2007

LAW OFFICES OF PAUL L. REIN

AKIN GUMP STRAUSS HAUER & FELD LLP

By /s/ Julie A. Ostil  
Julie A. Ostil

By /s/ Sara G. Noel  
Sara G. Noel

**Attorneys for PLAINTIFFS**

Attorneys for Defendant LOEWS CALIFORNIA THEATRES, INC.

GOOD CAUSE APPEARING, IT IS SO ORDERED.

Dated: \_\_\_\_\_

**HON. WAYNE D. BRAZIL**

1 PROOF OF SERVICE  
2

## STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

3 I am employed in the County of San Francisco, State of California. I am over the age of 18 and  
4 not a party to the within action; my business address is: 580 California Street, Suite 1500, San  
Francisco, CA 94104. On November 28, 2007, I served the foregoing document(s) described as:  
5 STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT  
on the interested party(ies) below, using the following means:

6 Paul L. Rein, Julie A. Ostil, and Ann Winterman  
7 Law Offices of Paul L. Rein  
200 Lakeside Drive, Suite A  
Oakland, CA 94612

8  BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed  
9 to the respective address(es) of the party(ies) stated above and placed the envelope(s) for collection and  
10 mailing, following our ordinary business practices. I am readily familiar with the firm's practice of  
collection and processing correspondence for mailing. On the same day that correspondence is placed  
11 for collection and mailing, it is deposited in the ordinary course of business with the United States  
Postal Service, in a sealed envelope with postage fully prepaid at San Francisco, California.

12  BY OVERNIGHT DELIVERY I enclosed the document(s) in an envelope or package provided by  
13 an overnight delivery carrier and addressed to the respective address(es) of the party(ies) stated above.  
I placed the envelope or package for collection and overnight delivery at an office or a regularly  
14 utilized drop box of the overnight delivery carrier.

15  BY MESSENGER SERVICE I served the documents by placing them in an envelope or package  
addressed to the respective address(es) of the party(ies) stated above and providing them to a  
16 professional messenger service for service.

17 I declare that I am employed in the office of a member of the bar of this court at whose  
direction the service was made.

18 Executed on November 28, 2007 at San Francisco, California.

19 HOLLY B. TOSCHI

20 [Name of Person Executing Proof]

21 [Signature] 